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14
15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**

17 Adam Heggen, an individual

18 Plaintiff,

19 v.

20 Heavenly Valley, Limited Partnership; and
21 Does 1-10, inclusive;

22 Defendants.

Case No. 2:21-cv-00107-WBS-SCR

**JOINT STATUS REPORT AND REQUEST
TO CONTINUE STATUS CONFERENCE;
ORDER**

**RELATED TO: 2:21-CV-01260 WBS SCR
2:21-CV-01608 WBS SCR
2:21-CV-02251 WBS SCR**

Complaint Filed: October 21, 2020
Date Removed: January 21, 2021
District Judge: Hon. William B. Shubb
Courtroom 5, Sacramento
Magistrate Judge: Hon. Sean C. Riordan
Courtroom 27, Sacramento

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1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Plaintiff Adam Heggen (“Plaintiff”) and defendant THE VAIL CORPORATION DBA
3 VAIL RESORTS MANAGEMENT COMPANY (“Defendant”) (collectively the “Parties”), hereby
4 submit this joint status report regarding the status of the case and settlement approval process in
5 this Action and four other related cases: *Hamilton v. Heavenly Valley, Limited Partnership*, 2:21-
6 cv-01608-WBS-DB (E.D. Cal.) (“*Hamilton I*”); *Hamilton v. Heavenly Valley, Limited Partnership*,
7 SC20210148 (El Dorado County Superior Court) (“*Hamilton II*”); *Roberds v. Heavenly Valley,*
8 *Limited Partnership* (“*Roberds*”); and *Gibson v. The Vail Corporation*, 2:21-cv-01260-WBS-DB
9 (E.D. Cal.) (“*Gibson*”).

10 WHEREAS, on November 19, 2021, Randy Dean Quint, John Linn, and Mark Molina
11 (collectively “Colorado Plaintiffs”), plaintiffs in another class and collective action against
12 Defendant venued in Colorado captioned *Quint v. Vail Resorts, Inc.*, No. 1:20-cv-03569-DDD-
13 GPG filed a motion to intervene in *Hamilton II* for the purpose of filing a motion to dismiss the
14 action, which the court denied;

15 WHEREAS, on December 28, 2021, the Parties executed a formal, long-form Settlement
16 Agreement that fully and finally resolves all claims in the Action, pending court approval, as well
17 as claims pled in related cases *Hamilton I*, *Gibson*, *Hamilton II*, and *Gibson* (“the Settlement”);

18 WHEREAS, on February 1, 2022, the El Dorado County Superior Court entered an Order
19 in the *Hamilton II* action granting Plaintiffs’ Motion for Preliminary Approval of the Settlement;

20 WHEREAS, Colorado Plaintiffs filed an objection to the Settlement;

21 WHEREAS, after considering all final approval papers, all objections to the Settlement,
22 oral argument from objectors at a hearing on June 17, 2022, and the arguments of counsel and
23 other individuals at a final approval hearing on August 19, 2022, the El Dorado County Superior
24 Court entered an Order in the *Hamilton II* action on August 19, 2022 granting Plaintiffs’ Motion
25 for Final Approval of the Settlement (“Final Approval Order”) and entered judgment;

26 WHEREAS, Colorado Plaintiffs moved to vacate the *Hamilton II* judgment, which the
27 Court denied;

28 WHEREAS, Colorado Plaintiffs appealed both the order denying their motion to intervene

1 and the order denying their motion to set aside and vacate judgment;

2 WHEREAS, on October 10, 2024, the Court of Appeal issued an unpublished opinion that
3 reversed the trial court's orders in on non-parties' motions to: (a) intervene; and (b) to set aside and
4 vacate the judgment in *Hamilton II*;

5 WHEREAS, Defendant's petition for review filed with the California Supreme Court which
6 was not granted;

7 WHEREAS, remittitur issued on January 29, 2025;

8 WHEREAS, following a case management conference in *Hamilton II* on March 14, 2025,
9 the trial court entered an order adopting the parties' stipulated briefing schedule for Colorado
10 Plaintiffs' (now Intervenors') motion to dismiss, and set a revised hearing for September 12, 2025;

11 WHEREAS, the outcome of that motion may determine whether settlement approval
12 proceedings will again move forward in *Hamilton II*;

13 WHEREAS the Settlement provides that Plaintiffs will dismiss this action with prejudice
14 within 28 days after the Final Approval Order becomes a final, non-appealable order;

15 NOW THEREFORE, the Parties hereby jointly request that this Court continue the August
16 11, 2025 Status Conference to Monday, October 13 at 1:30 pm, or as soon thereafter as the Court's
17 calendar permits.

18 DATED: July 26, 2025

KING & SIEGEL, LLP

19
20 By: /s/ Elliot J. Siegel

Elliot J. Siegel

21 Attorneys for Plaintiffs

22
23 DATED: July 26, 2025

OGLETREE, DEAKINS, NASH, SMOAK &
24 STEWART, P.C.

25 By: /s/ Evan R. Moses

26 Evan R. Moses

27 Melis Atalay

28 Attorneys for Defendant

THE VAIL CORPORATION

ORDER

The Court having reviewed the foregoing stipulation, and GOOD CAUSE APPEARING
THEREFORE, the Court orders as follows:

(1) The Parties shall file a Joint Status Report addressing the status of the Settlement
and any additional information that the Court requires, by **October 6, 2025**.

(3) The Status Conference Re Settlement is reset for **October 20, 2025 at 1:30 p.m.**

IT IS SO ORDERED.

Dated: August 5, 2025



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE